

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JENNIFER PIRTLE,

Defendant.

Case No. 2:14-cv-828

JUDGE GREGORY L. FROST

Magistrate Judge Elizabeth P. Deavers

ORDER

This matter is before the Court for consideration of Defendant's motion to set aside the entry of default (ECF No. 17), Plaintiff's memorandum in response (ECF No. 20), and Defendant's reply memorandum (ECF No. 21). Because the parties have completed briefing early, the Court shall decide the motion in advance of the scheduled non-oral hearing date.

In her motion, Defendant asks this Court to vacate the November 19, 2014 entry of default. (ECF No. 12.) Although Plaintiff disagrees with how Plaintiff has characterized the complaint and this litigation, Plaintiff states in its memorandum in response that it does not oppose the request. This Court therefore **GRANTS** the motion to set aside the entry of default (ECF No. 17) and **VACATES** the entry of default (ECF No. 12). Consequently, the Clerk shall terminate the motion for default judgment as moot. (ECF No. 14.) Defendant shall file an answer or otherwise respond to the amended complaint on or before March 5, 2015.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE